

IN THE UNITED STATES FEDERAL DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

OSCAR MARTINEZ-RAMIREZ
Defendants.

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CR. NO. 1:06mj70-DRB

MOTION TO WITHDRAW GUILTY PLEA

COMES, James R. Cooper, Jr. who moves that this Court allow Mr. Martinez to withdraw his Guilty Plea and states in support thereof as follows:

1. Mr. Cooper meet with Mr. Rameriz this past Friday. With them were Mr. Jeffery Lee and Mrs. Beverly Childress. The purpose of the meeting was to conduct the preliminary Pre-Sentence Investigation.
2. Mr. Rameriz said he did not know that he was giving up his RIGHTS when he plead guilty. He said that he did not understand that he was pleading guilty to a conspiracy. He said that he did not understand why he plead guilty. He did not want to tell Mr. Lee that he knowingly plead guilty to a conspiracy.
3. Mr. Rameriz then said he wanted to withdraw his guilty plea. He said that he felt the Mr. Cooper did not adequately inform him of his rights when he plead guilty.
4. Mr. Rameriz was informed that if he withdrew his guilty plea, he may get a potentially better plea agreement, no plea agreement or go to trial and get convicted with a much worse punishment.
5. Mr. Rameriz also wants another attorney. Mr. Cooper wishes to be relieved as counsel.

Wherefore, Mr. Cooper requests the following relief:

1. That Mr. Martinez be allowed to withdraw his Guilty Plea.
2. All other appropriate relief.

RESPECTFULLY SUBMITTED,

s/James R. Cooper, Jr. (COO021)
COOPER & COOPER
Attorney for Defendant
312 Scott Street
Montgomery, AL 36104
(334) 262-4887

CERTIFICATE OF SERVICE

I hereby certify that on this the 29th day of January , 2007, I have served a copy of the foregoing **Motion to Withdraw Guilty Plea** upon Ms A. Clark Morris , Asst. U.S. Attorney, P.O. Box 197, Montgomery, Alabama 36101 and by electronic case filing, by placing a copy of same in the United States Mail properly addressed and postage prepaid.

s/James R. Cooper, Jr. (COO021)

cc:

Mr. Oscar Martinez-Ramirez
Montgomery City Jail
P. O. Drawer 159
Montgomery, Al 36105